

Kansas Register

Bill Graves, Secretary of State

Vol. 12, No. 29

July 22, 1993

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Kansas Commission for the Deaf and Hard of Hearing

Notice of Meeting

The Kansas Commission for the Deaf and Hard of Hearing will meet from 1 to 4 p.m. Friday, August 20, in the board room of the Topeka U.S.D. 501 Administration Building, 626 S.W. 24th, Topeka.

Brenda J. Eddy Executive Director

Doc. No. 013711

State of Kansas

State Banking Board Notice of Meeting

The State Banking Board will meet at 9 a.m. Monday, August 16, in the conference room of the Office of the State Bank Commissioner, Suite 300, Jayhawk Tower, 700 S.W. Jackson, Topeka. The board reviews matters relating to its supervisory authority set forth in K.S.A. 9-1801 et seq.

Frank D. Dunnick State Bank Commissioner

Doc. No. 013706

State of Kansas

Legislature

Interim Committee Schedule

The following committee meetings have been scheduled during the period of July 26 through August 8:

Date	Room	Time	Committee	Agenda
August 2 August 3	531-N 531-N	10:00 a.m. 9:00 a.m.	Joint Committee on State Building Construction	Capital improvement project review—agencies to be determined.
August 3	519-S	1:00 p.m.	Legislative Coordinating Council	Legislative matters.
August 3 August 4	123-S 123-S	10:00 a.m. 9:00 a.m.	Joint Committee on Pensions, Investments and Benefits	Agenda not available.
August 3 August 4	514-S 514-S	10:00 a.m. 9:00 a.m.	Joint Committee on Children and Families	Agenda not available.

Emil Lutz
Director of Legislative
Administrative Services

Doc. No. 013707

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Register Office: 235-N, State Capitol (913) 296-3489

Board of Emergency Medical Services

Notice of Meeting

The Board of Emergency Medical Services will meet at 9 a.m. Friday, August 6, in Room 11, State Defense Building, 2800 S. Topeka Blvd., Topeka. Agenda items include committee reports, a report on the EMS data collection project and adoption of the FY 1995 budget.

All meetings of the board are open to the public. For more information, contact the administrator at 109 S.W. 6th, Topeka, (913) 296-7296.

Bob McDaneld Administrator

Doc. No. 013703

State of Kansas

Department of Commerce and Housing

Notice of Hearings on Kansas Comprehensive Housing Affordability Strategy

The Department of Commerce and Housing will conduct public hearings for input on the development of the Kansas Comprehensive Housing Affordability Strategy (CHAS) for federal fiscal year 1994. The agenda for the public hearings will include presentation of basic findings regarding Kansas housing, devlopment of general priorities for Kansas housing programs, and discussion of future housing initiatives in Kansas.

All public hearings will begin at 7 p.m. All meeting places are accessible to persons with disabilities. The schedule of public hearings is:

Date	Place
August 9	Country Kitchen Restaurant Banquet entrance, south side 3203 N. Vine, Hays
August 10	Dodge City Senior Shepherd Center Conference Room 2408 Central Avenue, Dodge City
August 11	Hutchinson Public Library Auditorium 901 N. Main, Hutchinson
August 12	Manhattan Fire Department Training Facility 2000 Denison, Manhattan
August 16	Project Concern Senior Center 504 Kansas Ave., Atchison
August 18	Parsons Municipal Building Basement Room 112 S. 17th, Parsons

Bob Knight Secretary of Commerce and Housing State of Kansas

Department of Health and Environment

Notice of Hearing

The Kansas Department of Health and Environment has prepared a national pollutant discharge elimination system permit for the Conoco, Inc.-Petroleum Pipeline facility located in Wichita. The permit for the Conoco, Inc.-Petroleum Pipeline facility was placed on Public Notice No. KS-93-10/13 dated February 3, 1993 through March 6, 1993. Public response to this notice was expressed; therefore, a public hearing has been scheduled in conformance with state regulation 28-16-61.

A public hearing has been scheduled for 7 p.m. Tuesday, August 24, at the Greenwich Road Church of Christ, 1746 S. Greenwich Road, Wichita.

The Secretary of Health and Environment will make a final permit decision after consideration of all comments received and of all requirements of state statutes and regulations.

> Robert C. Harder Secretary of Health and Environment

Doc. No. 013715

State of Kansas

Office of the State Treasurer

Notice of Investment Rates

The following rates are published in accordance with K.S.A. 75-4210 as amended per 1992 Session Laws of Kansas, Chapter 146. These rates and their uses are defined in K.S.A. 75-4201(l), 12-1675(b)(c)(d) and K.S.A. 75-4209(a)(1)(B), as amended by the 1992 Legislature.

Effective 7-26-93 through 8-1-93

Term	Rate
0-90 days	3.02%
3 months	3.05%
6 months	 3.20%
12 months	 3.47%
24 months	3.94%
36 months	4.36%
48 months	4.71%
	Sally Thompson State Treasurer

Doc. No. 013717

Department of Health and Environment

Notice Concerning Kansas Water Pollution Control Permits

In accordance with state regulations 28-16-57 through 63, 28-18-1 through 4, and the authority vested with the state by the administrator of the U.S. Environmental Protection Agency, tentative permits have been prepared for discharges to the waters of the United States and the state of Kansas for the applicants described below. The tentative determinations for permit content are based on preliminary staff review, applying the appropriate standards, regulations, and effluent limitations of the state of Kansas and the EPA, and when issued will result in a state water pollution control permit and national pollutant discharge elimination system authorization to discharge subject to certain effluent limitations and special conditions.

Public Notice No. KS-AG-93-71

Name and Address of Applicant	Legal Description	Receiving Water
Jons Holsteins, Gary Jons	SE/4, Sec. 15,	Kansas River
17341 158th St.	T11S, R223,	Basin
Bonner Springs, KS 66048	Leavenworth	. अभिनेति । इति । इति ।
	County	지역이 된 사람들의

Kansas Permit No. A-KSLV-M003

The proposed facility has the capacity for approximately 100 dairy cattle.

Wastewater Control Facilities: Wastewater will be impounded for subsequent application to agricultural land for beneficial use. Wastewater storage capacity is provided in excess of minimum requirements.

Compliance Schedule: The waste management plan developed by Mueting Engineering and approved by the department shall be adhered to as a condition of this permit. The plan calls for nutrient analysis of both liquid waste and sludges with application to meet crop nutrient needs. If wastes are not analyzed for nutrient content, wastewater shall be applied at not greater than 1.5 acre-inch per acre per year and settled sludge shall be applied at not greater than 10 tons/ac/year.

Dewatering equipment shall be obtained within six months after issuance of this permit through purchase, rental custom application agreement. It shall be capable of pumping at least 50 gallons per minute and dispersing the wastewater over 10 acres of land suitable for waste application. Written verification of the acquisition of the equipment shall be submitted to the department.

Public Notice No. KS-93-66/68

Name and Address Type of Waterway of Applicant Discharge Ash Grove Cement Neosho River via Treated domestic Company Village Creek via wastewater P.O. Box 519 unnamed tributary Chanute, KS 66720 Neosho County, Kansas Kansas Permit No. I-NE11-P002

Description of Facility: This is an amendment to existing permit toallow discharge of domestic wastewater from one restroom at the plant after treatment. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

Fed. Permit No. KS-0001201

Name and Address of Applicant Southwestern Bell Telephone 3917 N. Arkansas Wichita, KS 67204 Sedgwick County, Kansas

Type of Discharge Waterway Little Arkansas Treated

groundwater

Kansas Permit No. I-AR94-P052 Fed. Permit No. KS-0089150

Description of Facility: An air stripper is utilized to treat hydrocarbon-contaminated groundwater prior to discharge to the Little Arkansas River. This is a new facility. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria.

River

Name and Address Type of of Applicant Waterway Discharge City Hall Secondary Mill Creek via wastewater P.O. Box 296 Little Blue River Washington, KS 66968 treatment facility Washington County, Kansas

Kansas Permit No. M-BB21-0001 Fed.Permit No. KS-0089991

Description of Facility: This facility is designed for the treatment of domestic sewage. This permit is being modified from a non-discharging to a discharging status. Proposed effluent limitations are pursuant to Kansas surface water quality standards, K.A.R. 28-16-28(b-f), and federal surface water criteria, and are technology based.

Written comments on the proposed determinations may be submitted to Bethel Spotts, Permit Clerk, or Dorothy Geisler (agricultural permits), Kansas Department of Health and Environment, Division of Environment, Bureau of Water, Forbes Field, Topeka 66620. All comments postmarked or received on or before August 22 will be considered in the formulation of final determinations regarding this public notice. Please refer to the appropriate public notice number (KS-AG-93-71, KS-93-66/68) and the name of applicant as listed when preparing comments.

If no objections are received during the public notice period, the Secretary of Health and Environment will issue the final determinations. If response to this notice indicates significant public interest, a public hearing may be held in conformance with state regulation 28-16-61. Media coordination (newspapers, radio) for publication and/or announcement of the public notice or public hearing is handled by the Kansas Department of Health and Environment.

The application, proposed permit, including proposed effluent limitations and special conditions, fact sheets as appropriate, comments received, and other information are on file and may be inspected at the Kansas Department of Health and Environment offices, Building 740, Forbes Field, Topeka, from 8 a.m. to 4:30 p.m. Monday through Friday. The documents are available upon request at the copying cost assessed by KDHE. Additional copies of this public notice also may be obtained at the Division of Environment.

> Robert C. Harder Secretary of Health and Environment

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for a Travel Information Center to be located in Olathe. The estimated construction cost is \$640,000.

Any questions or expressions of interest should be directed to Gary Grimes, Deputy Director, Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before August 6. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman Director, Division of Architectural Services

Doc. No. 013693

State of Kansas

Attorney General

Opinion No. 93-91

State Departments; Public Officers and Employees— State Moneys—Accounts to be Secured; Deposit of Securities, Exception; Amount of Security Required.

Banks and Banking; Trust Companies—Banking Code; Deposit of Public Moneys—Deposit of Bonds and Securities; Custody Receipts. Sally Thompson, State Treasurer of Kansas, Topeka, July 14, 1993.

It is the opinion of this office that a Kansas bank can provide custodial service when the securities will be held in the Kansas bank's correspondent safekeeping account at an out-of-state bank. However, the board may not approve an out-of-state affiliate bank as the custodial bank pursuant to K.S.A. 75-4218(b)(2). The board can accept safekeeping receipts from the Kansas bank when the actual securities are being kept by a non-affiliated out-of-state bank. Public funds may not be deposited in a bank which is owned by the same holding company as owns the custodial bank pursuant to K.S.A. 9-1405(b). Finally, banks with common controlling shareholders, or an overlap of a majority of the board of directors, or common directors having the ability to directly or indirectly control both institutions, would be prohibited from safekeeping pledged securities for each other pursuant to K.S.A. 9-1405(b), as amended, and K.S.A. 1992 Supp. 75-4218(b)(2). Cited herein: K.S.A. 9-519; 9-804; 9-813; 9-1111; 9-1405, as amended by L. 1993, ch. 207, § 1; 9-1719; 9-1801, as amended by L. 1993, ch. 7, § 2; 9-2011; 9-2016; K.S.A. 1992 Supp. 75-4218; 12 U.S.C., §§ 81, 36. MIS

> Robert T. Stephan Attorney General

State of Kansas

State Conservation Commission

Notice to Contractors

Sealed bids for the construction of a 35,000 cubic yard detention dam, Site 107 in Douglas County, will be received by the Wakarusa Watershed Joint District No. 35 at the Wakarusa Watershed District Office, 302 Maple, P.O. Box 139, Overbrook 66524-0139, until 2 p.m. on August 10 and then opened. A copy of the invitation for bids and plans and specifications can be obtained from the Wakarusa Watershed District Office, (913) 665-7231.

Kenneth F. Kern Executive Director

Doc. No. 013705

State of Kansas

Department of Health and Environment

Notice of Proposed Permit Action

The Secretary of Health and Environment is proposing to issue an air emission source construction permit in accordance with K.A.R. 28-19-14 (permits required) to Century Concrete, Inc., Overland Park, to install and operate a portable ready mix concrete plant to be initially located at Section 5, T13S, R23E, Johnson County.

Written materials, including the permit application and information relating to the application submitted by Century, draft permit and analysis by KDHE describing the basis for the proposed permit, are available for public inspection during normal business hours through August 19 by contacting Pat Simpson, Air Quality District Representative, Northeast District KDHE Office, Lawrence, (913) 842-4600. This material also can be reviewed at the KDHE office in Building 740, Forbes Field, Topeka. Questions concerning this proposed permit should be directed to L.C. Hinther, KDHE, (913) 296-1576.

K.S.A. 65-3008 provides that any person affected by the issuance of a permit can request a public hearing prior to its issuance. The request must be in writing and addressed to the secretary. If the secretary determines there is sufficient reason in the request, a public hearing will be conducted—the place, date and time of the hearing will be announced in this publication. A request for a hearing or written comments on the proposed permit must be submitted to the Secretary, Kansas Department of Health and Environment, Landon State Office Building, 900 S.W. Jackson, Topeka 66612, before August 19.

Robert C. Harder Secretary of Health and Environment

Doc. No. 013716

State Fair Board

Notice of Meeting

The State Fair Board will meet at 1:30 p.m. Sunday, July 25, at the Holiday Inn in Hays. For further information, contact Deana Novak at (316) 669-3612.

> Deana Novak Administrative Officer

Doc. No. 013694

State of Kansas

Department of Administration **Division of Architectural Services**

Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services for mechanical modifications at the Memorial Student Union at Emporia State University. Work will include modifications to the existing VAV system, the design of a new DDC control system and replacement of pump motors. The estimated construction cost is \$295,000.

Any questions or expressions of interest should be directed to George Steele, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before August 6. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

> I. David DeBusman Director, Division of **Architectural Services**

Doc. No. 013718

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Architectural Services

Notice is hereby given of the commencement of negotiations for architectural services for the installation of cell fronts on the cells of "D" Cellhouse at the Lansing Correctional Facility. One hundred fifty-six cell fronts will be required.

Any questions or expressions of interest should be directed to Gary Grimes, Deputy Director, Planning & Project Management, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before August 6. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

J. David DeBusman Director, Division of Architectural Services

State of Kansas

Department of Administration Division of Architectural Services

Notice of Commencement of Negotiations for Engineering Services

Notice is hereby given of the commencement of negotiations for engineering services to design the replacement of the piping system in the chase of "D" Cellhouse at the Lansing Correctional Facility. Work will include the change of the plumbing system from gang toilets to individual toilets in each 156 cells. New piping systems required are sanitary sewer, vent and cold and hot water supply.

Any questions or expressions of interest should be directed to George Steele, Division of Architectural Services, 625 Polk, Topeka 66603, (913) 233-9367, on or before August 6. An original and five copies of the SF 255 form (plus attachments as required) should be submitted with letters of interest.

> J. David DeBusman Director, Division of **Architectural Services**

Doc. No. 013701

State of Kansas

Kansas Racing Commission

Notice of Hearing on Proposed Administrative Regulations

A public hearing will be conducted at 9:30 a.m. Friday, August 27, in the hearing room at commission offices, 3400 Van Buren, Topeka, to consider the adoption of proposed permanent regulations of the Kansas Racing Commission. This 30-day notice constitutes a public comment period for the purpose of receiving written public comments on these proposed regulations.

A copy of the full text of the regulations and the economic impact statement may be reviewed or obtained at the commission office. The following is a summary of the proposed amendments.

K.A.R. 112-4-1 and K.A.R. 112-4-24 establish a new licensing category for amateur jockeys. K.A.R. 112-4-1 creates the license category of amateur jockey. There are no other modifications to this currently existing commission regulation. K.A.R. 112-4-24 sets forth the qualifications of licensure for amateur jockeys.

Economic impact statement for K.A.R. 112-4-1 and K.A.R. 112-4-24: No additional agency costs, cost to other governmental agencies or units, or costs to private citizens.

> Janet Chubb **Executive Director**

Doc. No. 013695

Secretary of State

Notice of Corporations Forfeited

In accordance with K.S.A. 17-7510, the articles of incorporation of the following corporations organized under the laws of Kansas and the authority of the following foreign corporations authorized to do business in Kansas were forfeited June 15, 1993, for failure to timely file an annual report and pay the annual franchise tax as required by the Kansas general corporation code:

Domestic Corporations

AJL Associated, Inc., Olathe, KS. American Fabrication, Inc., Kansas City, KS. American Family Association, Inc., Tupelo, MS. Avcorp, Inc., Lenexa, KS. Bal-Van, Incorporated, Wichita, KS. Battle Creek Feeder, Inc., Scott City, KS. Bethel African Methodist Episcopal Church, Coffeyville, KS.

Breakfast Optimist Club of Hutchinson, Kansas, Inc., Hutchinson, KS.

Caney Valley Iron & Supply, Inc., Caney, KS. Christian Science Society of Newton, Kansas, Inc., Newton, KS.

Civitan Club of Topeka, Inc., Topeka, KS. Coffey County Council for the Arts, Inc., Burlington, KS.

Collyer Enterprises, Inc., Collyer, KS. Community Servants, Inc., Kansas City, KS. Cunningham Enterprises, Inc., Windsor, CO. Davies Enterprises, Inc., Topeka, KS.

Davis Glass Studio, Inc., Wichita, KS. Dean Dennington, Inc., Topeka, KS. Dempsay Agri-Service, Inc., Satanta, KS.

Durwich Management Corporation, Wichita, KS.

Energy Oil & Gas, Inc., Rago, KS.

Estimating & Management Services, Inc., Topeka, KS.

Family Life Resource Center, Inc., Newton, KS. Fitzgerald Tire & Tune-Up, Inc., Leoti, KS.

Flollie, Inc., Scott City, KS.

Gardner-Edgerton Wrestling Club, Inc., Gardner, KS.

Hayes Transit Mix, Inc., Paola, KS.

Health Ministries of Harvey County, Inc., Newton, KS.

J.M.D., Inc., Shawnee, KS.

John F. Steineger, Jr., Chartered, Kansas City, KS.

Kansas Steel Built, Inc., Topeka, KS.

Kappa Delta Alumni House Association, Manhattan, KS.

Kiwanis Club of Phillipsburg, Inc., Phillipsburg, KS. Koeller Communications, Inc., Great Bend, KS.

KWS & Company, Hutchinson, KS.

Linder's Welding, Inc., Stilwell, KS.

Lucas, Inc., Overland Park, KS. McWil, Inc., Canton, KS. Moore Lumber Co., Inc., Minneapolis, KS. Mulvane Optimist Club of Mulvane, Kansas, Inc., Mulvane, KS.

Nancy J. Whalen Foundation, Fairway, KS. Nottingham Forest Homes Association, Overland Park, KS.

Optimist Club of Halstead, Kansas, Inc., Halstead, KS.

Phillip E. Bortmes, D.O., P.A., Oswego, KS. Piper Lake Club, Incorporated, Kansas City, MO. Select Systems, Inc., Overland Park, KS.

Southern Wyandotte County Softball Association, Inc., Kansas City, KS.

Stover Restoration Company, Inc., Overland Park, KS.

The Optimist Club of Clay Center, Kansas, Clay Center, KS.

Thunderbird Cattle Co., Inc., Dodge City, KS. Topeka Restaurant and Purveyors Association, iejss siiki sair as amide Topeka, KS.

Torri, Inc., Wichita, KS.

V. I. P. Homes, Inc., Derby, KS.

Value Technologies, Incorporated, Bradenton, FL. Wheatland Civitan Club of Salina, Inc., Salina, KS. Zey's Incorporated, Abilene, KS.

Foreign Corporations

Anda, Inc., Springfield, MO. Boundary Healthcare Products Corp., Columbus, MS.

Brady Engineering Company, Inc., Grand Island, NE.

Bristol Corporation, Bristol, IN.

Child Placement Services, Inc., Prairie Village, KS.

Community Health Care Corporation, Kansas City, MO.

Eagle-Picher Industries, Inc., Cincinnati, OH. Enmark Gas Gathering L.P., Topeka, K\$. G.D. Barri & Associates, Inc., Glendale, AZ. Horizon Environmental Well Products, Inc.,

Aurora, NE.

Oracle Corporation, Belmont, CA.

P & L Fire Protection, Inc., Tuttle, OK.

Sipco, Inc., Omaha, NE.

Stewart Draperies, Inc., Kansas City, MO. Swift Independent Corporation, Omaha, NE.

T.G. Henningsen, Ltd., Atlantic, IA.

Tsalta, Corporation, Oklahoma City, OK. Val-Agri, Inc., Omaha, NE.

Walter Sales Company, Inc., Omaha, NE. Wichita Mantis Company, Inc.,

Huntingdon Valley, PA.

Bill Graves Secretary of State

Private Industry Council

Notice of Meeting

The monthly meeting of the corporate board of the Kansas Private Industry Council, Service Delivery Area III, will be held at 8 a.m. Thursday, July 22, in the Kansas Private Industry Council conference room, Suite 1025, Gateway Tower II, 400 State Ave., Kansas City, Kansas. The public is invited to attend.

Ann Conway Executive Director

Doc. No. 013696

State of Kansas

Department of Administration Division of Purchases

Notice to Bidders

Sealed bids for items hereinafter listed will be received by the Director of Purchases, Landon State Office Building, 900 S.W. Jackson, Room 102, Topeka, until 2 p.m. C.D.T. on the date indicated, and then will be publicly opened. Interested bidders may call (913) 296-2377 for additional information.

Monday, August 2, 1993 29808

Department of Wildlife and Parks—Road rock (Marion Wildlife Area)

96787

Kansas Neurological Institute—Furnish and install fire alarm system

96788

Secretary of State—Microfilm reader printer 96789

Department of Transportation—Aggregate, various locations

96818

Kansas State University-Refrigeration chiller

Tuesday, August 3, 1993

27813 Supp.

Department of Wildlife and Parks—Uniform garments

29805

University of Kansas Medical Center—Cleaning compounds and janitorial supplies

29809

Statewide—September (1993) meat products 29815

Statewide—Cereal, cooked and baby

Wednesday, August 4, 1993

29814

University of Kansas Medical Center— Miscellaneous beverages

96795

Department of Social and Rehabilitation Services— Telecommunications project, Leavenworth 96796

University of Kansas—Refrigerator

96797

University of Kansas Medical Center—Power factor capacitors

96799

Department of Social and Rehabilitation Services— Corn flakes cereal

96800

Kansas Correctional Industries—Building materials

Department of Administration, Division of Printing—Skiver cloth

96814

Hutchinson Correctional Facility—CCTV equipment

Thursday, August 5, 1993

96822

University of Kansas Medical Center—Lighting lamps and ballasts

Friday, August 6, 1993

96798

Kansas State University—Furnish and set up strength and rehabilitation equipment

96821

Kansas State University—Furnish and install exercise equipment (treadmill)

96825

Norton Correctional Facility—Ready mix concrete and wire mesh

96826

University of Kansas—Audio-visual equipment

96827

Kansas State School for the Blind—Furnish all labor and materials to repair boiler

96834

University of Kansas—Electric motors

96835

Department of Wildlife and Parks—Wildlife transmitters, Emporia

96836

Kansas State University—Carpet

Monday, August 9, 1993

29806

University of Kansas—Printing of "PC-TRANS" magazine

29810

Department of Wildlife and Parks—Printing of hunting and fishing regulation booklets

96830

University of Kansas—Paper, printing and binding 96832

Kansas, Inc.—Plain paper photocopier

Wednesday, August 11, 1993

29727

Statewide—Ostomy products (Class 17)

Jack R. Shipman Director of Purchases

Social and Rehabilitation Services

Notice of Public Hearing on 1994 Low Income Home Energy Assistance Block Grant State Plan

The public is invited to comment on the SRS plan for using the 1994 Low Income Home Energy Assistance Block Grant. A summary of the plan is available from SRS area directors or from the SRS Division of Income Maintenance, Room 624-S, Docking State Office Building, 915 S.W. Harrison, Topeka 66612-1570.

A teleconference hearing for public input will be broadcast August 3 to the following SRS offices: Chanute, Emporia, Garden City, Hays, Hutchinson, Kansas City, Lawrence, Manhattan, Olathe, Salina, Topeka and Wichita. Written comments received by August 13 will also be considered and should be mailed to the above address.

Donna L. Whiteman Secretary of Social and Rehabilitation Services

Doc. No. 013708

State of Kansas

Department of Transportation

Notice to Contractors

Sealed proposals for the construction of road and bridge work in the following Kansas counties will be received at the office of the Chief of Construction and Maintenance, KDOT, Topeka, until 10 a.m. C.S.T. August 19, 1993, and then publicly opened:

District One-Northeast

Johnson-Wyandotte—69-105 K-5281-01—U.S. 69, from Merriam Lane north to Kansas Avenue (K-32) in Kansas City, 2.6 miles, signing. (State Funds)

Leavenworth—52 C-2467-01—County road, 0.5 mile southeast of Tonganoxie, then north, 0.2 mile, grading and bridge. (Federal Funds)

Leavenworth—52 C-3103-01—County road north of DeSoto over the Kansas River, 0.2 mile, bridge painting. (Federal Funds)

Pottawatomie—75 K-5291-01—Two K-16 bridges east and west of Onaga and four bridges between Emmett and the Pottawatomie-Nemaha county line, bridge deck repair. (State Funds)

Wabaunsee—30-99 K-4054-01—K-30, Mill Creek bridge 52, 0.6 mile north of I-70, bridge replacement. (Federal Funds)

Wabaunsee—30-99 K-5187-01—K-30, junction of I-70, northeast to the south city limits of Maple Hill, 2.0 miles, overlay. (State Funds)

District Two-Northcentral

Clay—14 C-2009--01—County road, 3 miles south and 2.9 miles west of Clay Center, then east, 0.1 mile, bridge replacement. (Federal Funds)

Geary—70-31 M-1700-01—I-70, westbound safety rest area, 1.5 miles west of the K-177 interchange, rest area renovation. (State Funds)

Saline—70-85 K-5258-01—I-170, from the Lincoln-Saline county line east 8 miles, seal. (State Funds)

Saline—85 C-2134-01—County road, 1.5 miles south and 1.6 miles west of Smolan, then west, 0.2 mile, bridge replacement. (Federal Funds)

District Three-Northwest

Rawlins—25-77 K-4075-01—K-25, from U.S. 36 north 0.2 mile in Atwood, 0.2 mile, grading, bridge and surfacing. (State Funds)

District Four-Southeast

Chatauqua—10 C-2910-01—County road, 0.5 mile south and 1 mile east of Sedan, 0.2 mile, grading and bridge. (Federal Funds)

Labette—96-50 K-4375-01—K-96, Mud Creek bridge 42, 4 miles east of the Montgomery-Labette county line, bridge replacement. (Federal Funds)

District Five—Southcentral

Sedgwick—2-87 K-2600-01—K-2, Flood Canal bridge 173 and 174, 0.3 mile southwest of I-235, 0.1 mile, bridge overlay. (State Funds)

Sedgwick—87 U-1421-01—13th Street and Grove in Wichita, intersection improvement. (Federal Funds)

Proposals will be issued upon request to all prospective bidders who have been prequalified by the Kansas Department of Transportation on the basis of financial condition, available construction equipment, and experience. Also, a statement of unearned contracts (Form No. 284) must be filed. There will be no discrimination against anyone because of race, age, religion, color, sex, handicap, or national origin in the award of contracts.

Each bidder shall file a sworn statement executed by or on behalf of the person, firm, association or corporation submitting the bid, certifying that such person, firm, association or corporation has not, either directly or indirectly, entered into any agreement, participated in any collusion, or otherwise taken any action in restraint of free competitive bidding in connection with the submitted bid. This sworn statement shall be in the form of an affidavit executed and sworn to by the bidder before a person who is authorized by the laws of the state to administer oaths. The required form of the affidavit will be provided by the state to each prospective bidder. Failure to submit the sworn statement as part of the bid-approval package will make the bid nonresponsive and not eligible for award consideration.

Plans and specifications for the projects may be examined at the office of the respective county clerk or at the KDOT district office responsible for the work.

Michael L. Johnston Secretary of Transportation

(Published in the Kansas Register, July 22, 1993.)

Summary Notice of Bond Sale \$400,000

Wallace County, Kansas
General Obligation Bonds
(General obligation bonds payable from unlimited ad valorem taxes)

Details of the Sale

Subject to the terms and conditions of the complete official notice of bond sale dated as of July 12, 1993, of Wallace County, Kansas, sealed, written bids shall be received at the office of the County Clerk, Wallace County Courthouse, Sharon Springs, Kansas, until 1:30 p.m. Mountain Time on Tuesday, August 10, 1993, for the purchase of the County's General Obligation Bonds, Series 1993, which are hereinafter described. All bids shall be publicly opened, read aloud and considered on said date and at said time and shall be immediately thereafter acted upon by the Board of County Commissioners of the county.

No oral or auction bids for the bonds shall be considered, and no bids for less than the entire amount

of the bonds shall be considered.

Bids shall be accepted only on the official bid form which has been prepared for these bonds, which may be obtained from the county clerk or from the county's financial advisor. Bids may be submitted by mail or may be delivered in person and must be received at the place and no later than the date and time hereinbefore specified. Each bid shall be accompanied by a good faith deposit in the form of a certified or cashier's check drawn on a bank located within the United States and made payable to the order of the county, and shall be in an amount equal to 2 percent of the principal amount of the bonds.

Details of the Bonds

The bonds to be sold are in the aggregate principal amount of \$400,000. The bonds shall be issued as fully registered bonds in denominations of \$5,000, or any integral multiple thereof not exceeding the principal amount of the bonds maturing in any year. The bonds shall bear a dated date of August 1, 1993. The bonds shall bear interest, payable as hereinafter set forth, at the rates specified by the successful bidder for the bonds. The bonds shall be subject to redemption prior to their respective maturities as set forth in the official notice of bond sale.

Interest on the bonds shall be payable semiannually on March 1 and September 1 of each year, commencing March 1, 1994, and the bonds shall mature serially on September 1 in each of the years and principal amounts as follows:

Principal Amount	Maturity Date
\$ 35,000	1994
35,000	1995
35,000	1996
35,000	1997
40,000	1998
40,000	1999

	40,000			2000
	45,000		1.1	2001
	45,000	4 4		2002
Ŧ	50,000			2003

Payment of Principal and Interest

The Kansas State Treasurer shall serve as the bond registrar and paying agent for the bonds, and the principal of the bonds shall be paid upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid upon surrender at the paying agent's principal offices in the city of Topeka, Kansas. Interest shall be paid by the mailing of a check or draft of the paying agent to the registered owners of the bonds.

Security for the Bonds

The bonds and the interest thereon constitute general obligations of the county, and the full faith, credit and resources of the county will be pledged to the payment thereof. The county will be obligated to levy ad valorem taxes without limitation as to rate or amount upon all of the taxable tangible property within the territorial limits of the county for the purpose of paying the bonds and the interest thereon.

Delivery of the Bonds

The bonds, duly printed, executed and registered, shall be furnished and delivered at the expense of the county to the successful bidder, or at its direction, on or before Monday, August 30, 1993, at such location in the state of Kansas or Kansas City, Missouri, as may be specified by the successful bidder. Delivery elsehwhere shall be made at the expense of the successful bidder.

Legal Opinion

The bonds will be sold subject to the legal opinion of Hinkle, Eberhart & Elkouri, L.L.C., Wichita, Kansas, bond counsel, whose fees will be paid by the county. Bond counsel's approving legal opinion as to the validity of the bonds will be printed on the bonds and will be delivered to the successful bidder upon delivery of the bonds. (Reference is made to the official notice of bond sale for a discussion of tax exemption and other legal matters.)

Financial Matters

The county's assessed valuation is as follows:

Assessed valuation of taxable tangible property \$21,550,391 Motor vehicle valuation \$1,794,586
Equalized assessed tangible valuation for computation \$ 23,344,977

On August 1, 1993, the county's outstanding bonded indebtedness will consist only of the bonds described herein.

Official Statement

The county has authorized and directed the preparation of a preliminary official statement relating to the bonds, copies of which may be obtained from the county or the county's financial advisor. The preliminary official statement is in a form "deemed final" by the county for the purpose of the Securities and Exchange Commission's Rule 15c2-12(b)(1), but is subject

to revision, amendment and completion in the final official statement. Upon the sale of the bonds, the county shall furnish the successful bidder with a reasonable number of copies of the final official statement, without additional cost, upon request. Copies of the final official statement in excess of a reasonable number may be ordered at the successful bidder's expense.

Additional Information

For additional information regarding the county, the bonds and the sale, interested parties are invited to request copies of the complete official notice of bond sale and the county's preliminary official statement and official bid form for the bonds, all of which may be obtained from the undersigned or from the county's financial advisor by contacting Brian Corrigan, Cooper Malone McClain, Inc., 100 N. Main, Suite 510, Wichita, KS 67202, (316) 264-2400.

Wallace County, Kansas By Jacalyn Mai, County Clerk P.O. Box 70 Sharon Springs, KS 67758 (913) 852-4282

Doc. No. 013709

State of Kansas

The Kansas Lottery

Temporary Administrative Regulations

Article 2.—LOTTERY RETAILERS

111-2-26. "State Fair Doubler" retailer incentive. During the period beginning July 21, 1993, and ending September 3, 1993, in addition to compensation provided for in K.A.R. 111-2-4, Kansas lottery retailers may participate in a bonus retailer incentive promotion as a part of the Kansas lottery's "State Fair Doubler" game as follows:

(a) With each pack of "State Fair Doubler" tickets ordered, a retailer will receive one (1) entry which will be placed in a drum by the lottery. All ticket orders must be received by 5:00 p.m., at lottery headquarters

on September 3, 1993.

(b) The drawings will be held at 10:00 a.m. on September 7, 1993 at lottery headquarters. The first 24 cards drawn will win two tickets to a Kansas City Chiefs home game provided by the lottery. Each retail location is eligible to win only one prize. During these drawings, should the name of a retailer previously winning a "State Fair Doubler" retailer incentive prize be drawn that entry will be disqualified, and another card will be drawn. (Authorized by K.S.A. 74-8710; implementing K.S.A. 74-8710 and 74-8708; effective, T-111-7-9-93, June 25, 1993.)

Article 4.—INDIVIDUAL GAME RULES

111-4-100. Name of drawing. The Kansas Lottery shall conduct a series of instant ticket drawings entitled "State Fair Drawings." The dates of the drawings shall coincide with the 1993 Kansas State Fair in Hutchinson,

Kansas. The times and dates of the drawings shall be as follows:

Date	Drum Opens	Draw	Drum Opens	Drum Closes
Sept. 10	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 11	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 12	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 13	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 14	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 15	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 16	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 17	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 18	9:00 a.m.	6:00 p.m.	6:15 p.m.	10:00 p.m.
Sept. 19	9:00 a.m.	6:00 p.m.		
Sept. 19		Grand Prize I ne "Grandsta		

(Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 7, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 7990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-9-1-92, Aug. 28, 1992; amended, T-111-7-9-93, June 15, 1993.)

111-4-101. Definitions. (a) All definitions contained in the Kansas lottery act (K.S.A. 1991 Supp. 74-8701 et seq.) and lottery regulations are hereby incorporated by reference and govern unless otherwise indicated.

(b) "Kansas State Fair" or "State Fair" means the

annual fair held in Hutchinson, Kansas.

(c) "Kansas Lottery State Fair Drawings" or "State. Fair Drawings" means the acts of drawing prizes conducted by the Kansas Lottery at the state fair in which participants are selected to win various prizes as described in K.A.R. 111-4-104.

(d) "Co-sponsor drawings" means an act of drawing for prizes which may be held at the state fair subse-

quent to the "State Fair Drawings."

(e) "Co-sponsor(s)" means the person, retailer or organization designated by the executive director to assist in organizing the "Kansas Lottery State Fair Drawings."

(f) "Non-winning ticket" means any valid Kansas "State Fair Doubler" instant game lottery ticket not eligible to win a prize under "State Fair Doubler" in-

stant game rules.

(g) "Receptacle" or "drum" means a container in which non-winning Kansas instant game lottery tickets are placed and from which the "State Fair Drawings" are made. Receptacles or drums shall be sealable and drums shall be capable of being mixed or rotated for the purpose of ensuring random distribution.

(h) "Bare arm technique" means a type of drawing where the person drawing the winning ticket from the receptacle or drum wears a long-sleeved shirt with sleeve rolled up above the elbow, a short-sleeved shirt (sleeve not extending past the elbow) or a no-sleeve shirt which exposes the drawer's bare arm.

(i) "State Fair Grand Prize Drawing" or "Grand Prize Drawing" means the drawing which will occur during the "Grandstand Show" on September 20, 1992,

(continued

for the prize(s) described at K.A.R. 111-4-104. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6; 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

111-4-102. Location of Drawings. "State Fair Drawings" shall be held in the Kansas Lottery building on the state fairgrounds in Hutchinson, Kansas, on the dates and at the times stated in K.A.R. 111-4-100. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 24, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

"State Fair Drawings" specified in K.A.R. 111-4-100 between September 10 and September 19, 1993, shall receive a prize of not less than one hundred dollars (\$100). All winners in the 1993 State Fair lottery drawings remain eligible for the "State Fair Grand Prize Drawing." The "State Fair Grand Prize Drawing." The "State Fair Grand Prize Drawing" will occur during the "Grandstand Show" on September 19, 1993, and the winner shall receive a choice of certain new 1993 vehicles on display by the lottery and cash with a total value of \$18,582.17. All prize awards are subject to lottery validation, set offs and deductions provided by law.

(b) A player who purchases at least \$5.00 worth of any combination of instant and/or on-line tickets at the lottery state fair building or lottery tent is entitled to one spin of the lottery wheel at the state fair lottery building to win a lottery promotional prize. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

111-4-105. Entry into drawing. Entry into the "State Fair Drawing" is accomplished by the process detailed in the following subparagraphs:

(a) Obtain a valid "State Fair Doubler" Kansas in-

stant lottery ticket;

(b) Determine if the ticket is a winning ticket in accordance with "State Fair Doubler" game rules. If the ticket is a winning ticket, it is not eligible for the "State Fair Drawing" and shall be redeemed in accordance with the instant game rules;

(c) If the ticket is a valid non-winning ticket, the ticket is eligible for the drawing and the holder of the

ticket may enter the "State Fair Drawings";

(d) The holder of the non-winning ticket must complete the information form on the back of the ticket in a legible manner;

(e) The holder of the non-winning ticket must take the non-winning ticket with the completed information on the back of the ticket to the location of the "State Fair Drawing" and place it in the receptacle or drum provided during the "State Fair";

(f) A receptacle or drum shall be available and entries may be made at the Kansas lottery building and other lottery locations at the State Fair at the times stated in K.A.R. 111-4-100. Between July 1, 1993 and September 3, 1993, receptacles shall also be available

for entries at the following locations:
(1) Participating Kansas Lottery retail locations,

(2) KFDI Radio, Wichita,

(3) Eddy's Toyota, 7333 E. Kellogg, Wichita,

(4) Steven Motors, 6637 E. Kellogg, Wichita,

(5) Steven Ford Mercury, 2 Miles West on Hwy. 54, Augusta,

(6) Steven Mitsubishi, 6601 E. Kellogg, Wichita,

- (7) Steven Chrysler Plymouth, 7127 E. Kellogg, Wichita.
- (8) Players may also enter by bringing entries to lottery regional offices located in Great Bend, Wichita and Topeka, or by mailing entries to "State Fair Doubler," c/o Kansas Lottery, P.O. Box 7777, Lawrence, KS 66044-7777. Entries must be received by September 16, 1993.
- (9) Receptacles will also be available at Kansas lottery sponsored remotes and special events between July 1, 1993 and September 10, 1993.
- (g) The holder of the ticket is not required to personally attend the "State Fair Drawing" or be present at the time of the drawing to be determined a winner;

(h) The drawings will be conducted at the approx-

imate times listed in K.A.R. 111-4-100.

- (i) There is no limit to the number of entries a participant may make. (Authorized by and implementing K.S.A. 74-8710(b); effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-89, Aug. 18, 1989; amended, T-111-9-8-89, Sept. 8, 1989; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-8-29-91, Aug. 23, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)
- 111-4-108. Ticket disqualification. Any non-winning Kansas instant game lottery ticket entered into a "State Fair Drawing" which is not drawn shall remain eligible for other "State Fair Drawings," Kansas lottery prizes and prizes donated by sponsors occurring in the same calendar year. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 6, 1988; amended, T-111-8-24-90, Aug. 17, 1990; amended, T-111-8-2-91, July 19, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

111-4-112. Validation of winner. The following validation requirements shall apply to all tickets for the "State Fair Drawings":

(a) The ticket must have been issued by the Kansas lottery in an authorized manner and must not be counterfoit in whole or in parts.

terfeit in whole or in part;

(b) The ticket must be complete and intact and not mutilated, altered, unreadable, reconstructed, or tampered with in any way;

- (c) The ticket must not be blank or partially blank, unisregistered, defective, or printed or produced in error:
- (d) The display printing on the ticket must be regular in every respect and correspond precisely with the artwork on file at the Kansas lottery;

(e) The ticket must not be stolen nor appear on any list of omitted tickets on file at the Kansas lottery;

(f) The ticket must have exactly one ticket validation number, one book-ticket number, and two retailer validation codes, each of which must be present in its entirety, be fully legible, be exactly as described in paragraph (b) above, and correspond precisely to the artwork on file at the Kansas lottery. The ticket validation number shall correspond to the play symbols on the ticket; and

(g) The ticket validation number of an apparent "State Fair Drawing" winning ticket shall not appear on the Kansas lottery's official list of ticket validation

numbers of winning tickets.

(h) The ticket must be a valid non-winning "State Fair Doubler" Kansas lottery instant game ticket. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-9-7-88, Sept. 7, 1988; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

"GO 4TH DRAWINGS"

111-4-301. Name of drawing. (a) The Kansas Lottery shall conduct a series of instant ticket drawings entitled "Go 4th Drawings." The dates of the drawings shall coincide with the annual "Go 4th" celebration at

Washburn University in Topeka, Kansas.

- (b) The drum shall be open from 10:00 a.m. until 7:00 p.m. on July 3, 1993, and from 10:00 a.m. until immediately prior to the drawing on July 4, 1993. Ten drawings shall be conducted at half hour intervals from 4:30 p.m. through 9:00 p.m on July 4, 1993. The drum shall be closed immediately prior to the first drawing and reopened immediately following each drawing until completion of the final drawing at 9:00 p.m. These drawings shall take place on the south end of the campus in the parking lot immediately south of the Henderson building on the Washburn University campus. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-19-91, June 14, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-92, June 25, 1993.)
- 111-4-303. Location of drawings. "Go 4th Drawings" shall be held on the Washburn University campus in Topeka, Kansas, on July 4, 1993. The drawings will be held on the south side of the Washburn University campus in the parking lot south of the Henderson Building. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-19-91, June 14, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

111-4-304. Prizes. The winners selected at the 10 "Go 4th Drawings" specified in subsection (b) of K.A.R. 111-4-301 on July 4 shall receive a prize of not less than \$100. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-19-91, June 14, 1991;

amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

111-4-306. Determination of "Go 4th Drawing" winners. (a) At least 5 minutes before the drawings, the person designated by the executive director, shall announce to the audience that the winner selection process will begin. Any persons wishing to enter the drawing who have not yet done so, shall immediately place their tickets into the receptacle or drum at this time.

(b) Prior to sealing the receptacle or drum, the person designated by the executive director shall announce that entries into the "Go 4th Drawings" are

closed. No further entries will be accepted.

(c) The receptacle or drum shall be sealed and capable of being mixed with a shovel or by other means for two minutes or rotated a minimum of 10 times to ensure random selection.

(d) The executive director shall designate one individual of his choice to participate in the selection

process.

- (e) The selection of "Go 4th Drawing" winners on July 4 shall be accomplished by the individual designated by the executive director, using a bare arm technique, who shall remove only one ticket from the receptacle or drum in which all entries were placed at each of the 10 drawings conducted at half hour intervals starting at approximately 4:30 p.m. and ending at approximately 9:00 p.m. A person representing the executive director and law enforcement officer approved by the Kansas lottery, division of security; shall review the selected ticket to determine if the name stated on the information form located on the back of the selected ticket is legible. If the name is determined to be legible, the name of the winner shall be announced to the audience. This process shall be repeated until ten valid winners have been selected.
- (f) The named person is not required to be present in order to win the "Go 4th Drawing" prizes described in K.A.R. 111-4-304. The security person conducting the drawing shall be responsible for the final determination concerning the legibility of the name on any ticket drawn, but regardless of the number of entries a person whose name appears on a valid entry drawn in the "Go 4th Drawings" has made, he or she shall not be eligible to win more than one prize. The first prize winning ticket drawn for such an entrant invalidates all other entries for the "Go 4th Drawing" for that entrant.

(g) A person whose valid ticket has been drawn from the receptacle or drum at each drawing shall be determined a "Go 4th Drawing" winner.

(h) Each winner shall be given a prize claim form

to be completed and returned to the lottery;

(i) If the name on any ticket drawn is not legible, the ticket drawn will be void and the selection process shall be repeated until a valid winning ticket is selected. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-6-19-91, June 14, 1991; amended, T-111-5-21-92, May 15, 1992; amended, T-111-7-9-93, June 25, 1993.)

RULES FOR INSTANT GAME NO. 63 "BIRTHDAY GAME"

111-4-501. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled (continued)

"Birthday Game" commencing on September 2, 1993. The specific rules for the "Birthday Game" game are contained in K.A.R. 111-3-1 et seq. and 111-4-501 through 111-4-504. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-502. Definitions. The following definitions shall apply to the "Birthday Game" instant lottery

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 15 with matching captions in WGI Cap Font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: \$1.00 - \$5.00 - 10.00 - 20.00 - \$100\$

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated

with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$5. ∞	FIVE\$
10.00	TEN\$
20.00	TWENTY
\$100\$	ONE-HUN
\$1000\$	ONE-THOU

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable

covering on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom right portion of the front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; KK = \$5.00; BB = \$10.00; NN = \$20.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-503. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) or six (6) game. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	Win
3 - \$ 1.00	One Dollar
3 - \$ 5.00	Five Dollars
3 - \$ 10.00	Ten Dollars
3 - \$ 20.00	Twenty Dollars
3 - \$ 100.00	One Hundred Dollars
3 - \$1,000.00	One Thousand Dollars

(Authorized by K.S.A. 74-8710(b), (c) & (i); implementing K.S.A. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-7-9-93, June 25, 1993.)

111-4-504. Number and value of instant prizes. (a) There will be approximately 3,000,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$ 1.00	480,000	\$ 480,000
5.00	80,000	400,000
10.00	50,000	500,000
20.00	10,000	200,000
100.00	50	5,000
1,000.00	10	10,000
	620,060	\$1,595,000

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720;

effective, T-111-7-9-93, June 25, 1993.)

RULES FOR INSTANT GAME NO. 60 "STATE FAIR DOUBLER"

111-4-505. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled "State Fair Doubler" commencing on or after July 21, 1993. The specific rules for the "State Fair Doubler" game are contained in K.A.R. 111-3-1 et seq. and 111-4-505 through 111-4-508. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-506. Definitions. The following definitions shall apply to the "State Fair Doubler" instant lottery game:

(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in WGI Symbol Font 10 with matching captions in WGI Cap Font. A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: $$1.^{\circ}$ - $$5.^{\circ}$ - $$25.^{\circ}$ - \$2500 - \$5000- image of two dollar signs.

"Game symbol captions" are the words or portions of words, printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated

with each game symbol is as follows:

Game Symbol	Game Symbol Caption
\$1.00	ONE\$
\$5. ⁰⁰	FIVE\$
25.00	TWEN-FIV
\$2500	25-HUN
\$5000	FIVETHOU
Image of two dollar signs	DOUBLER

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears below the game symbols under the removable covering in the play area on the front of each instant ticket.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the front of each instant

game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC = \$1.00; DD = \$2.00; KK = \$5.00; BB = \$10.00: RR = \$25.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-507. Determination of instant prize winners. An instant prize winner is determined for this instant game when the player removes or "scratches off" the removable layer of material covering the play area to reveal the six game symbols and captions. This is a match three (3) or six (6) game which includes a doubler. If three (3) of the six (6) concealed prize amounts match, the player wins the amount shown. If two (2) of the six (6) concealed prize amounts match and a doubler symbol is found, the player wins double the prize amount. No ticket will be eligible to win more than one prize. Prizes a player may win are as follows:

Get	100		Win	
3 - \$ 1.00	,		One Dollar	,
2 - \$ 1.00 +	Doubler		Two Dollars	
3 - \$ 5.00	1000		Five Dollars	1.075
2 - \$ 5.00 +	Doubler	aligna e	Ten Dollars	
3 - \$ 25.00	. Province		Twenty-five Dollars	
2 - \$ 25.00 +	Doubler		Fifty Dollars	
3 - \$2500.00		Two Tho	usand Five Hundre	d Dollars
2 - \$2500.00 +	Doubler	Fi	ve Thousand Dolla	rs
3 - \$5000.00		Fi	ve Thousand Dolla	rs
and the same of th				1.7

(Authorized by K.S.A. 74-8710(b), (c) & (i); implementing K.S.A. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-7-9-93, June 25, 1993.)

111-4-508. Number and value of instant prizes. (a) There will be approximately 3,900,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$1	455,000	\$ 455,000
\$2 (*)	195,000	390,000
\$5 `	78,000	390,000
\$10 (*)	39,000	390,000
\$25 `	13,000	325,000
\$50 (*)	2,119	105,950
\$2,500	6	15,000
\$5,000 (*)	3	15,000
\$5,000	4	20,000
	782,132	<u>\$2,105,950</u>

(*) denotes doubler prize

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720;

effective, T-111-7-9-93, June 25, 1993.)

RULES FOR INSTANT GAME NO. 61 "HIGH CARD"

111-4-509. Name of game. The Kansas Lottery shall conduct an instant winner lottery game entitled "HIGH CARD" commencing on or after July 22, 1993. The specific rules for the "HIGH CARD" game are contained in K.A.R. 111-3-1 et seq. and 111-4-509 through 111-4-512. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-510. Definitions. The following definitions

shall apply to the "HIGH CARD" instant lottery game:
(a) "Game symbols" are the numbers, letters, symbols, or pictures printed in the play area of each instant game ticket and which determine if the ticket bearer is entitled to a prize. In this instant game, the game symbols are printed in black ink in "WGI Symbol Font 15" with matching captions in "WGI Cap Font". A game symbol appears in each of six play spots within the play area. Each game symbol for this instant game is one of the following: 7 - 8 - 9 - 10 - and actual playing card images of "Jacks," "Queens," "Kings," and "Aces."

(b) "Game symbol captions" are the words or portions of words printed beneath each game symbol in the play area and are used to repeat or explain the game symbol. The game symbol caption associated

with each game symbol is as follows:

	Game Symb	ol	G	ame Symb	ol Captio
	7			SEY	7
	8		100	EG"	r
٠	9		19.56.5	NIN	IE .
	10		A North	TÉI	1
	Jack (playing card	image)	4 4 5 44	JAC	K
	Queen (playing car	d image)	1, 1	QUE	N
	King (playing care	l image)		KIN	
	Ace (playing card	image)	*	AC	E

(c) "Ticket validation number" means a unique number appearing on each ticket which is used to validate winning tickets. For this instant game, the ticket validation number is a 10-digit number which appears on the front of each instant ticket and will be

covered by latex.

(d) "Book-ticket number" means the unique number appearing on each ticket which includes the number of the book from which it was removed and the serially assigned number of the ticket within that book. For this instant game, the book-ticket number is an 8-digit book number followed by a dash and then a 3-digit ticket number. The ticket numbers in each book start with 000 and end with 299. The book-ticket number is printed in black ink on the bottom portion of the

front of each instant game ticket.

(e) "Retailer validation code" means the small letters found under removable covering in the play area of each instant game ticket. The retailer uses this code to verify and validate winners which are to be paid by the retailer. In this instant game, the retailer validation code is a two letter code printed and appearing in two of six varying locations among the game symbols. The codes and their meanings are as follows: CC \$1.00; DD = \$2.00; KK = \$5.00; HH = \$6.00; BB= \$10.00: RR = \$25.00. (Authorized by and implementing K.S.A. 74-8710; effective, T-111-7-9-93, June 25, 1993.)

111-4-511. Determination of instant prize winners. An instant prize winner is determined in this "beat the dealer" instant game when the player "scratches off" the removable layer of material covering the play area to reveal the three separate games, each containing a "YOURS" area, a "DEALERS" area, and a "PRIZE" area. A solid line is imaged between Game 1 and 2, and between Game 2 and 3. "Cards" in one game relate to that game only and not to either of the other two games. A player can win up to two times on a single ticket. If "YOURS" (player's card) is higher than the "DEALERS" in a single game, the player wins the dollar amount shown in the prize area for that game. "Ace" is the highest card, followed in descending order by "King," "Queen," "Jack," "10," "9," "8," and "7." (Authorized by K.S.A. 74-8710(b), (c) & (i); implementing K.S.A. 74-8710(b), (c) & (i) and 74-8720 (b) & (d); effective, T-111-7-9-93, June 25, 1993.)

111-4-512. Number and value of instant prizes. (a) There will be approximately 3,300,000 tickets ordered for this instant game. The expected number and value of the instant prizes are as follows:

Prizes	Expected Number of Prizes in Game	Expected Value in Game
\$ 1	385,000	\$ 385,000
\$ 2 (\$1 + \$1))	198,000	396,000
\$ 5	55,000	275,000
\$ 6 (\$5 + \$1)	33,000	198,000
\$ 10 (\$5 + \$5)	22,000	220,000
\$ 25	11,000	275,000
\$ 50 (\$25 + \$25)	825	41,250
\$ 50	275	13,750
\$ 100 (\$50 + \$50)	132	13,200
\$10,000	3	30,000
	705,235	\$1,847,200

(b) The executive director may terminate the sale of tickets prior to the complete sale of all tickets. In this event, the number and value of prizes will be approximately proportional to the number of tickets actually sold.

(c) All prizes are subject to deductions provided by law. (Authorized by K.S.A. 74-8710(b), (c) & (f); implementing K.S.A. 74-8710(b), (c) & (f); and 74-8720; effective, T-111-7-9-93, June 25, 1993.)

Article 6.—ON-LINE GAMES

111-6-7a. Ticket responsibility. cl10.3(a) If there is no signature on the back of any on-line ticket in the area designated for a signature, a ticket shall be owned by the physical possessor of the ticket. When a signature appears on the back of the ticket in the designated place, the person whose signature appears in such area shall be the owner of the ticket and shall be entitled, subject to all validation requirements, to any prize attributable to the ticket.

(b) If the signature of more than one person appears on the back of the ticket in the designated place, the lottery shall make payment to the person identified on the winner claim form. If all persons whose signatures appear in the appropriate space cannot identify one person to whom payment should be made, the lottery shall keep the prize until a determination of entitlement is made by the parties. In no event shall more than one person be entitled to a particular prize.

(c) The Kansas lottery shall not be responsible for lost or stolen tickets. (Authorized by and implementing K.S.A. 74-8710 and 74-8720; effective, T-111-7-9-93,

June 25, 1993.)

Ralph Decker **Executive Director**

Doc. No. 013697

State of Kansas

Department on Aging

Permanent Administrative Regulations

Article 5.—IN-HOME NUTRITION PROGRAM

26-5-5. Services to be provided. (a) Each in-home nutrition service provider shall provide a hot or other appropriate home-delivered meal to eligible homebound individuals at least once per day five or more days per week.

(b) Each in-home nutrition service provider shall:

(1) comply with all state and local laws and regulations governing sanitation, preparation and handling of food; and

(2) follow appropriate procedures which assure preservation of nutritional values and food safety in purchasing food and preparing and delivering meals.

(c) Each meal served by the in-home nutrition program shall contain at least one-third of the current recommended daily dietary allowances as established by the Food and Nutrition Board of the National Academy of Sciences-National Research Council and as referenced in the 1992 edition of the Kansas diet manual of the Kansas Dietetic Association, Inc. (Authorized by and implementing K.S.A. 75-5908; effective, T-86-48, Dec. 18, 1985; effective May 1, 1986; amended Sept. 7, 1993.)

26-5-6. Eligibility for services. The in-home nutrition service provider shall make a written determination of the eligibility of each individual requesting nutrition services prior to the individual's receipt of a home-delivered meal and annually thereafter.

The nutrition service provider shall use the following eligibility requirements to determine eligibility.

(1) The applicant shall reside in Kansas.

(2) The applicant shall be age 60 or older.

- (3) The applicant shall be homebound by reason of illness or incapacitating disability attributable to a mental or physical impairment, or a combination of mental and physical impairments, that results in substantial functional limitations in one or more of the following areas of major life activity:
 - (A) self-care;
 - (B) receptive and expressing language;
 - (C) learning; (D) mobility;
 - (E) self-direction;

 - (F) capacity for independent living;
 - (G) economic self-sufficiency; (H) cognitive functioning; and
- (I) emotional adjustment. (Authorized by and implementing K.S.A. 75-5908; effective, T-86-48, Dec. 12, 1985; effective May 1, 1986; amended Sept. 7, 1993.)

Article 8.—SENIOR CARE ACT

26-8-1. Definitions. (a) "Activities of daily living (ADL's) "means personal functional activities required for continued well-being, essential for health and safety, including feeding, drinking, dressing, grooming, bathing, personal hygiene, mobility, and bowel and bladder continence.

(b) "Area agency" or "area agency on aging" means the agency or organization within a planning and service area that has been designated by the secretary to develop, implement and administer a plan for the delivery of a comprehensive and coordinated system of services to older persons in the planning and service

(c) "Assisted living" means housing options which include boarding care homes, adult family homes, one to five bed adult care homes and intermediate personal care homes, as defined in K.S.A. 39-923 and K.S.A. 39-1501, and other similar options as designated by the secretary.

(d) "Attendant care services" means assistance with bathing, medication, dressing, personal appearance, feeding and toileting under the direction of a medical professional.

(e) "Care management services" means:

(1) a service provided to a client, at the direction of the client or a family member of the client:

(A) by an individual who is trained or experienced in the case management skills that are required to deliver the services and coordination described in subparagraph (2); and

(B) to assess the needs, and to arrange, coordinate, and monitor an optimum package of services to meet

the needs of the client; and

(2) includes services and coordination such as:

(A) comprehensive assessment of the client including the physical, psychological, and social needs;

- (B) development and implementation of a service plan with the client to mobilize the formal and informal resources and services identified in the assessment to meet the needs of the client, including coordination of the resources and services:
- (i) with any other plans that exist for various formal services, such as hospital discharge plans; and

(ii) with the information and assistance services provided under the Older Americans Act;

(C) coordination and monitoring of formal and informal service delivery, including coordination and monitoring to ensure that services specified in the plan are being provided;

(D) periodic reassessment and revision of the status

of the client with:

(i) the client; or

(ii) if necessary, a primary caregiver or family member of the client; and

(E) advocacy on behalf of the client for needed services or resources in accordance with the wishes of the

(f) "Chore services" means those services consisting of household chores, including heavy cleaning, yard and walk maintenance, which the older person is unable to perform independently and which do not require the services of a trained homemaker or other specialist.

(g) "Client" means any older person who meets eligibility standards established in K.A.R. 26-8-2 and who is being served by the senior care act program.

(h) "Custom Care" means an individually tailored part of a plan of services which is developed by an area agency on aging designated case manager, and which is not otherwise available. The area agency may contract for the service with an individual or a corporate service provider. Referral arrangements and feefor-service contracts shall be developed between the area agency and the provider of custom care service, and these contracts shall be approved by the area agency on aging director.

(i) "Family" means one or more adults and children, if any, related by blood or law and residing in the same household. Where adults, other than spouses, reside together, each will be considered a separate family. Emancipated minors and children living under the care of individuals not legally responsible for that care

shall be considered one-person families.

(j) "Homemaker services" means those services providing assistance in housecleaning, laundry, essential shopping, errands and meal preparation, and which

do not require trained personnel.

(k) "In-kind resources" means goods or services provided by an area agency on aging or a subgrantee and dedicated to expansion of senior care act services; such goods or services shall not include indirect costs of administration, except for direct supervision; such goods or services may include direct costs of screening and assessment and service delivery. Training to providers of direct services may also be included as an in-kind resource. The services of individual volunteers shall not be counted toward senior care act match unless the services are of a professional nature such as (continued) services provided by a physician or a registered or practical nurse, or other professionals who have a background relative to the needs of the senior care act services. The services of any volunteer driver related to transportation services may also be acceptable match if that area agency offers transportation as a part of senior care act services.

(l) "Instrumental activities of daily living" (IADL's) means medical or functional aspects of daily living which, when the client is unable to perform them, would lead to a significant risk to health and safety unless services are provided, including meal preparation, shopping, medication monitoring or administration, housekeeping, money management, and telephone communication. Critical IADL's are shopping, meal preparation, medications, money management, and daily task planning.

(m) "Personal emergency response services" means help in the event of an emergency secured by a high-

risk patient through an electronic device.

(n) "Older person" means any person who is 60 years of age or older.

(o) "Residential repair" means activities to repair, maintain or renovate a residence or appliances.

(p) "Respite care" means short-term inpatient or outpatient care delivered to a client in place of the

client's regular source of support.

- (q) "Screening and assessment" means administering standard examinations, procedures or tests for the purpose of gathering information about an older person to determine need and eligibility for services. Information collected may include health status, financial status, ability to manage activities of daily living and instrumental activities of daily living, and information on current support systems.
 - (r) "Secretary" means the secretary of aging.
- (s) "Senior care act" means K.S.A. 75-5926 through K.S.A. 75-5936, which establishes a program of inhome support services for eligible persons 60 years of age and older.
- (t) "Start-up costs" means those expenses incurred in preparing for and initially incurred in offering a new service. Start up costs include equipment, training and outreach.
- (u) "Transportation for care services" means services provided in order to take a client from one location to another for medical or respite care. (Authorized by and implementing K.S.A. 75-5928, 75-5930, 75-5931 and 75-5933; effective, T-26-10-17-89, Oct. 17, 1989; effective, T-26-7-30-91, July 30, 1991; effective Aug. 10, 1992; amended, T-______; amended Sept. 7, 1993.)
- **26-8-3.** Priority of services. Within the level of appropriations available, services shall be provided pursuant to the senior care act in the following priority: (a) attendant care services;
 - (b) homemaker services;
 - (c) respite services;
 - (d) chore services;

- (e) care management services;
- (f) transportation for care services; .
- (g) residential repair services;
- (h) assisted living services;
- (i) custom care services; and
- (j) personal emergency response services. (Authorized by and implementing K.S.A. 75-5928; effective, T-26-10-17-89, Oct. 17, 1989; effective, T-26-7-30-91, July 30, 1991; effective Aug. 10, 1992; amended, T-____, amended Sept. 7, 1993.)

26-8-4. Fees. (a) The following fee schedule is set pursuant to K.S.A. 75-5931 and shall be a percentage of the actual cost of the service rendered based upon:

- (1) the number of persons within the family; and
- (2) the monthly gross income of the family.
 (b) The percentage of the cost for which the old
- (b) The percentage of the cost for which the client shall be responsible in fiscal year '94 shall be as follows:

Monthly Gross Income	One Person Family	Monthly Gross Income	Two Person Family
below \$971	20%	below \$1314	20%
\$971-\$1070	30%	\$1314-\$1448	30%
\$1071-\$1170	40%	\$1449-\$1583	40%
\$1171-\$1270	50%	\$1584-\$1718	50%
\$1271-\$1370	60%	\$1719-\$1853	60%
\$1371-\$1470	70%	\$1854-\$1988	70%
\$1471-\$1570	80%	\$1989-\$2123	80%
\$1571-\$1670	90%	\$2124-\$2258	90%
\$1671-above	1000/	MODEO I	
Ψ10/1-α5046	100%	\$2259-above	100%
Monthly	Three Person	Monthly	Four Person
	Three Person Family		
Monthly	Three Person	Monthly	Four Person
Monthly Gross Income	Three Person Family	Monthly Gross Income	Four Person Family
Monthly Gross Income below \$1657 \$1657-\$1827 \$1828-\$1998	Three Person Family 20%	Monthly Gross Income below \$2001	Four Person Family 20% 30%
Monthly Gross Income below \$1657 \$1657-\$1827	Three Person Family 20% 30%	Monthly Gross Income below \$2001 \$2001-\$2206	Four Person Family 20%
Monthly Gross Income below \$1657 \$1657-\$1827 \$1828-\$1998	Three Person Family 20% 30% 40%	Monthly Gross Income below \$2001 \$2001-\$2206 \$2207-\$2412	Four Person Family 20% 30% 40% 50%
Monthly Gross Income below \$1657 \$1657-\$1827 \$1828-\$1998 \$1999-\$2169 \$2170-\$2340 \$2341-\$2511	Three Person Family 20% 30% 40% 50%	Monthly Gross Income below \$2001 \$2001-\$2206 \$2207-\$2412 \$2413-\$2618	Four Person Family 20% 30% 40% 50% 60%
Monthly Gross Income below \$1657 \$1657-\$1827 \$1828-\$1998 \$1999-\$2169 \$2170-\$2340	Three Person Family 20% 30% 40% 50% 60%	Monthly Gross Income below \$2001 \$2001-\$2206 \$2207-\$2412 \$2413-\$2618 \$2619-\$2824	Four Person Family 20% 30% 40% 50% 60% 70%
Monthly Gross Income below \$1657 \$1657-\$1827 \$1828-\$1998 \$1999-\$2169 \$2170-\$2340 \$2341-\$2511	Three Person Family 20% 30% 40% 50% 60% 70%	Monthly Gross Income below \$2001 \$2001-\$2206 \$2207-\$2412 \$2413-\$2618 \$2619-\$2824 \$2825-\$3030	Four Person Family 20% 30% 40% 50% 60%

Authorized by and implementing K.S.A. 75-5931 and 75-5933; effective, T-26-10-17-89, Oct. 17, 1989; effective, T-26-7-30-91, July 30, 1991; effective Aug. 10, 1992; amended, T-_____; amended Sept. 7, 1993.)

26-8-7. Funds spent for each client. The maximum expenditure for total monthly services provided to each client shall not exceed \$1,324.00. (Authorized by and implementing K.S.A. 75-5931; effective, T-26-10-17-89, Oct. 17, 1989; effective, T-26-7-30-91, July 30, 1991; effective Aug. 10, 1992; amended, T-_____, amended Sept. 7, 1993.)

Joanne E. Hurst Secretary of Aging

Kansas Commission on Governmental Standards and Conduct

Advisory Opinion No. 93-22

Written June 23, 1993, to Bob Totten, Public Affairs Director, Kansas Contractors Association, Inc., Topeka.

This opinion is in response to your letter of May 28, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law (K.S.A. 46-215 et seg.)

We note at the outset that the commission's jurisdiction on this matter is limited to the application of the above law. Thus, whether some other law or agency rule or policy relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as Public Affairs Director for the Kansas Contractors Association, Inc. You advise us that the Kansas Contractor's Association's Board of Directors is interested in contributing more than \$5,000 to the Kansas Department of Transportation (KDOT) to help promote a statewide safety program. The program, called "Give 'em a Brake," is designed to remind motorists to slow down through construction sites. This program has been successful in other parts of the country and you feel it would be a great benefit for the construction workers in Kansas. The association is not licensed, regulated or inspected by KDOT.

Questions

1. May the association make a contribution to the state agency under this factual situation?

2. Is it permissible for your logo to be used on the advertising along with KDOT's?

Opinion

The only section of the act which prohibits gifts to a state agency is K.S.A. 46-237(c). That section, however, applies only to entities which are licensed, regulated or inspected by the state agency. Since that is not the case here, the donation is permissible.

Pertaining to your second question, there is simply nothing in K.S.A. 46-215 et seq. in point. Please refer this question to the Attorney General for response.

Advisory Opinion No. 93-23

Written June 23, 1993 to Karl F. Birns, Lawrence.

This opinion is in response to your letter of May 3, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the conflict of interest law (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of the above law. Thus, whether some other law or agency rule or policy relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as an employee of the Kansas Department of Health and Environment. You advise us that you are considering employment in the private sector. The company you are considering employment with is in the consulting field. It provides compliance advice to private sector firms regulated primarily under federal hazardous materials statutes (Superfund Amendments and Reauthorization Act, Occupational Safety and Health Act, Hazardous Materials Transportation Uniform Safety Act, etc.) and associated state regulations implementing the federal laws. Its market area is national (45 states) and includes facilities in Kansas. The company does not contract directly with any state agency, nor does it expect to in the future. If, however, that does occur, you have spoken with the president of the company and he has assured you that you would not be involved in any part of the contracting process.

The company does appear before state agencies at public meetings and participates in other public debates regarding issues that affect the interests of the public and clients with general interests. At no time has the company been before any agency representing a special interest, nor does it expect to. Prior to October of 1992, you managed the Kansas Right-to-Know program at the KDHE. In that capacity, you supervised the staff that reviewed compliance information submitted by the company's clients. The responsibility for the information and regulatory relationship was between the submitting facility and the KDHE. The department did not regulate the company as an entity. Your duties since that time have no relationship to your previous job, nor do you have any interaction with the company or its clients.

Your employment may be either concurrent with your state employment (on personal time such as vacation), while on authorized leave from your state job, or subsequent to termination.

Question

May you accept employment with the consulting firm either on a part-time basis while still a state employee or after termination of state employment?

Opinion

As we understand the factual situation, you have not in the preceding two years participated on behalf of the state in the making of any contracts with the company (see K.S.A. 46-233). In addition, we understand that in your current position you are not involved in the licensing, inspecting, enforcing or contracting with the company (see K.S.A. 46-286).

With these understandings, it is our opinion that the act does not prohibit part-time employment while a state officer under the conditions you have described, nor does it prohibit accepting a position upon termination. We do draw your attention to K.S.A. 46-241 which prohibits the use of confidential information obtained as a state employee.

(continued)

Advisory Opinion No. 93-24

Written June 23, 1993, to Eldon L. Harding, Information Desk, State Capitol, Topeka.

This opinion is in response to your letter of June 3, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the conflict of interest law (K.S.A 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of the above law. Thus, whether some other law or agency rule or policy relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a state employee who, among other duties, gives tours through the Capitol, Judicial Center and Cedar Crest. You have been contacted by the Topeka Convention and Visitors Bureau about giving such tours on its behalf on your personal time.

Questions

- 1. May state employed tour guides contract, for pay, tours of the Capitol, Judicial Center and Governor's Mansion (Cedar Crest) on off-duty time with such agencies as the Topeka Convention and Visitor's Bureau?
- 2. Can the state or any of its agencies claim rights or possession of any written materials composed by a tour guide and intended for publication other than such writings assigned by the state agency as a part of the writer's job?

Opinion

We have reviewed K.S.A. 46-215 et seq. in its entirety and find no provision which prohibits the off-duty employment you have described.

On the second question, we find nothing in the act which relates to the issue with the exception that you may not use confidential information obtained during state service for financial gain (see K.S.A. 46-241).

Advisory Opinion No. 93-25

Written June 23, 1993, to the Honorable Tom Bishop, State Representative, Wichita.

This opinion is in response to your letter of May 24, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction on this matter is limited to the application of the above law. Thus, whether some other law or agency rule or policy relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as a state representative. You advise us that you are also employed as Executive Director of Mennonite Housing Rehabilitation Services, Inc., 2145 N. Topeka, Wichita, Kansas 67214. MHRS is a 501(C)3 not for profit corporation which was formed in 1977. You have been employed in your present capacity since August of 1986.

MHRS is, or will be, applying for Community Development Block Grant funds and HOME funds through the Kansas Department of Commerce and Housing (KDOCH), which administers these federal grants. MHRS also functions as a subgrantee, operating housing programs for local city and county governments that may apply for these programs. These funds are used for the purpose of providing affordable housing to the residents of your service area, primarily, Butler, Harvey and Sedgwick counties.

You are paid a salary by MHRS which is set by your 21 member board of directors. No funds from any of these KDOCH programs would be used to pay for your salary or benefits. You also receive no bonus or commission or any other form of compensation from these

types of grants.

MHRS also receives funds from CDBG, FmHA, and other federal sources through the city of Wichita and

directly from these federal agencies.

You advise us that the regional office of HUD has determined that a conflict may exist under 24 CFR 92.356 by virtue of your being an elected state official and an employee of MHRS if MHRS is awarded federal HOME funds by KDOCH.

Questions

- 1. Does the receipt of funding by MHRS while you are an employee thereof and are also an elected state official violate any provisions of K.S.A. 46-215 et seq.?
- 2. Is there a conflict of interest under 24 CFR 92.356?

Opinion

The only section of the act which might apply to this situation is K.S.A. 46-233. That section states:

(a) No state officer or employee shall in the capacity as such officer or employee be substantially involved in the preparation of or participate in the making of a contract with any person or business by which such officer or employee is employed or in whose business such officer or employee or any other member of such officer's or employee's immediate family has a substantial interest and no such person or business shall enter into any contract where any state officer or employee, acting in such capacity, is a signatory to, has been substantially involved in the preparation of or is a participant in the making of such contract and is employed by such person or business or such officer or employee or any member of such officer's or employee's immediate family has a substantial interest in such person or business.

Whenever any individual has, within the preceding two years participated as a state officer or employee in the making of any contract with any contract with any person or business, such individual shall not accept employment with such person or business for one year following termination of employment as a state officer or employee.

(b) No individual shall, while a legislator or within one year after the expiration of a term as

a legislator, be interested pecuniarily, either directly or indirectly, in any contract with the state, which contract is funded in whole or in part by any appropriation or is authorized by any law passed during such term, except that the prohibition of this subsection (b) shall not apply to any contract interest in relation to which a disclosure statement is filed as provided by K.S.A. 46-239, and amendments thereto.

(d) Subsections (a) and (b) shall not apply to the following:

(1) Contracts let after competitive bidding has been advertised for by published notice; and (2) Contracts for property or services for which the price or rate is fixed by law.

Subsection (b) is the only section likely to apply in this situation. If a particular grant received by MHRS is appropriated by the legislature, it is illegal for you to be interested pecuniarily in the contract unless you file the disclosure statement required by K.S.A. 46-239. Otherwise, we find nothing in K.S.A. 46-215 et seq. which prohibits the situation you have described.

We cannot respond to your second question since it is outside our jurisdiction. We would recommend that you seek guidance from the Attorney General regard-

ing 24 CFR 92.356.

Advisory Opinion No. 93-26

Written June 23, 1993, to Myron C. Reed, P.E., Assistant Director, Office of Facilities Planning, University of Kansas, Lawrence.

This opinion is in response to your letter of June 2, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the conflict of interest law (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction is limited to the application of the above law. Thus, whether some other law or agency rule or policy relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion in your capacity as Engineering Manager for the BioSciences Research Facility at the University of Kansas. You advise us that the Hamilton Lab Equipment Company has proposed a trip to its factory on July 12 and 13, 1993, in Two Rivers, Wisconsin. The purpose of the trip would be to look at the specialized equipment of the type that could be used for projects with the university system both in Lawrence and at the K.U. Medical Center. You could observe manufacturing methods and capabilities and become much more familiar with design procedures and quality of components involved in such items.

If you were to go on this trip, it would be your intent to learn as much as possible about the manufacture of this equipment and how the equipment is designed to meet current codes and construction standards. You have particular interest in how the company meets the Uniform Plumbing Code and the Uniform Mechanical Code; also, it certainly would be

helpful to see the actual plant facility because you could see various products at various stages of manufacture and assembly.

The company has offered to pay your travel ex-

penses and accommodations.

Ouestion

Is it permissible for you to accept reasonable and necessary travel expenses and accommodations from the company?

Opinion

K.S.A. 46-237(a) and (c) relate to your question. Those sections state:

- (a) No state officer or employee or candidate for state office shall accept, or agree to accept any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$40 or more in any calendar year from any one person known to have a special interest, under circumstances where such person knows or should know that a major purpose of the donor is to influence such person in the performance of their official duties or prospective official duties.
- (c) No person licensed, inspected or regulated by a state agency shall offer, pay, give or make any economic opportunity, gift, loan, gratuity, special discount, favor, hospitality, or service having an aggregate value of \$40 or more in any calendar year to such agency or any state officer or employee of that agency.

We first note that if the company paying the travel expenses and lodging is not licensed, regulated or inspected by you or your agency, then subsection (a) applies. So long as your agency authorizes and would be willing to pay for the trip, there is no financial gain by the employee.

If the company offering to pay the travel expenses and lodging is licensed, regulated or inspected by you or your agency, then subsection (c) applies and the

\$40 gift limit is in effect.

Otherwise, it is our opinion under K.S.A. 46-237(a) so long as the university would pay for the trip, it is permissible for the company to pay reasonable and necessary expenses for travel and accommodations.

Advisory Opinion No. 93-27

Written June 23, 1993, to Karen A. Dutcher, Bennett, Lytle, Wetzler, Winn & Martin, Prairie Village.

This opinion is in response to your letter of March 22, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the local conflict of interest law (K.S.A. 75-4301 et seq.). We note at the outset that the commission's jurisdiction on your questions is limited to the application of the above law. Thus, whether some other state law, common law, or municipal ordinance applies to your questions is not covered by this opinion.

(continued)

Factual Statement

We understand you request this opinion in your capacity as the attorney for the city of Leawood, Kansas. You state that the city of Leawood, Kansas has, for the past few years, had a "sister city" relationship with I-Lan, Taiwan, R.O.C. This relationship was formalized by the adoption of a resolution by the governing body of the city of Leawood. The sister city relationship does not involve any type of financial, economic development, or other contracts between the two cities. It is, rather, a good will gesture between the two cities. It is conceivable that private individuals and/or businesses in the two cities may enter into some type of business arrangements arising out of contacts made in the sister city relationship, but it is not intended that the cities would be parties to those agreements.

You also advise us that in the fall of 1993, a group of Leawood residents is planning a trip to visit the city of I-Lan, just as residents of I-Lan have visited Leawood in the past. This group is designated by resolution as an official "delegation" from the city, headed by the mayor. All expenses for that trip would be paid by the individuals going on the trip, not by the city. You have learned that I-Lan is considering providing one free airline ticket for that trip. The airline ticket would have an estimated value of \$800.00 to \$1,300.00. If this ticket is provided, the mayor of Leawood would like to use the ticket.

Questions

- 1. Is it permissible for the mayor to accept the ticket?
- 2. If she accepts the ticket, should it be disclosed on her disclosure of substantial interest statement?
- 3. If she accepts the ticket, is she precluded from future action regarding the city of I-Lan?

Opinion

K.S.A. 75-4304 and K.S.A. 75-4305 contain the only prohibitions in this act. Under both sections, a threshold issue is whether the public official holds a substantial interest in or is employed by a "person" or "business." This commission has consistently held that a unit of government does not constitute a "person" or "business" as these terms are used in this act. Thus, this act does not prohibit the acceptance of the ticket. Please note that a different response could apply under the state law applicable to state officers and employees (see K.S.A. 46-215 et seq.).

The only section of the law that might apply to your second question is K.S.A. 75-4301a(a)(3). That section states:

(a) "Substantial interest" means any of the following: . . (3) If an individual or an individual's spouse, either individually or collectively, has received in the preceding 12 months, without reasonable and valuable consideration, goods or services having an aggregate value of \$500 or more from a business or combination of businesses, the individual has a substantial interest in that business or combination of businesses.

Here again, a threshold issue is whether I-Lan is a "business." Since I-Lan is a unit of government, it is not a business. Therefore no disclosure of "substantial interest" is required from the mayor.

Last, since there is no statutorily defined "substantial interest," there is no prohibition on future actions under this act even if the ticket is accepted. The mayor is not precluded from future actions regarding I-Lan.

Advisory Opinion No. 93-28

Written June 23, 1993, to Stan Martin, Martin, Thompson & Sexton, P.A., Abilene.

This opinion is in response to your letter of May 26, 1993, in which you request an opinion from the Kansas Commission on Governmental Standards and Conduct concerning the state conflict of interest law (K.S.A. 46-215 et seq.). We note at the outset that the commission's jurisdiction concerning your question is limited to the above law. Thus, whether some other statutory system, common law, or agency regulation relates to your question is not covered by this opinion.

Factual Statement

We understand you request this opinion as the attorney for the Board of Trustees of the State of Kansas Sports Hall of Fame created by K.S.A. 74-2906a. You state that pursuant to K.S.A. 74-2909, the Board of Trustees is authorized to contract with a private entity for certain services. The Board of Trustees has entered such a contract with Kansas Sports Hall of Fame, Inc., a not-for-profit corporation, of which you are president.

The corporation, in order to perform its contract with the Board of Trustees, has undertaken a fundraising drive to obtain the \$2,000,000 needed to construct and equip a suitable facility in Abilene.

The corporation proposes to contract with two members of the Board of Trustees to serve as fund drive chairmen. The proposed contract would be reviewed with and approved by the Board of Trustees with the two affected members abstaining from the vote.

Pursuant to K.S.A. 74-2906a, members of this board are appointed by the Governor but serve without compensation except as provided in K.S.A. 75-3223(e).

Question

Does K.S.A. 46-215 et seq. apply to members of the Board of Trustees of the State of Kansas Sports Hall of Fame?

Opinion

Members of the Board of Trustees do not meet the definition of "state officer or employee" under K.S.A. 46-221(a)(4). Thus, while acting in that capacity, the prohibitions contained in K.S.A. 46-215 et seq. relating to state officers and employees do not apply to them.

In any other capacity, such as other state employment or lobbying, the law would still apply.

Richard C. Loux Chairman

INDEX TO ADMINISTRATIVE REGULATIONS

This index lists in numerical order the new, amended and revoked administrative regulations and the volume and page number of the Kansas Register issue in which more information can be found. This cumulative index supplements the index found in the 1992 Supplement to the Kansas Administrative Regulations.

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